



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,103	09/21/2001	Gaku Todokoro	FUJY 19.017	5091

7590 05/10/2004
Rosenman & Colin LLP
575 Madison Avenue
New York, NY 10022-2585

EXAMINER

RONES, CHARLES

ART UNIT	PAPER NUMBER
2175	13

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/960,103

Applicant(s)

TODOKORO ET AL.

Examiner

Charles L. Rones

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,2,4-8,16 and 17 is/are allowed.
- 6) ☒ Claim(s) 9-11 is/are rejected.
- 7) ☒ Claim(s) 12,14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Amendment

The amendment timely filed on March 4, 2004 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 9-10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Matchefts et al. U.S. Patent No. 6,330,600 ('Matchlefts').

Matchlefts discloses:

As to claim 9,

transmitting, by the first monitoring device, a request for reading the network address (deemed to be functionally equivalent to the request number/equipment value) of the second monitoring device to the communications device; See 5:30-50; 6:55-64; 8:20-21;

transmitting, by the first monitoring device, a request for reading registered data which is altered by a updating operation and recorded in the database accommodated by the second monitoring device to the second monitoring device by using the network address of the second monitoring device received from the communications device, when the first monitoring device receives the network address of the second monitoring device from the communications device; See 5:1-50; 6:55-64; 8:20-21;

updating, by the first monitoring device, registered data recorded in the database accommodated by the first monitoring device based on the registered data received from the second monitoring device, when the first monitoring device receives the registered data which is altered by the updating operation and recorded in the database accommodated by the second monitoring device from the second monitoring device; See 5:1-50; 6:55-64; 8:20-21.

As to claim 10,

transmitting, by a second monitoring device, a request for reading the network address of the first monitoring device to the first communication device, when the second monitoring device is newly connected to the network; See 5:30-50; 6:55-64; 8:20-21;

transmitting, by a second monitoring device, to the first monitoring device a request for reading data relevant to the second communications device which is recorded in the database accommodated by the first monitoring device, by using the network address of the first monitoring device received from the first communication device, when the second monitoring device receives the network address of the first monitoring device from the first communications device; See 5:1-50; 6:55-64; 8:20-21;

recording, by the second monitoring device, the data relevant to the second communications device received from the first monitoring device in a database accommodated by the second monitoring device, when the second monitoring device receives the data relevant to the second communications device from the first monitoring device; See 5:1-50; 6:55-64; 8:20-21.

As to claim 11,

a control command transmitting unit transmitting a control command with a network address of the first monitoring device from the first monitoring device to the communications device; See 5:1-50; 6:55-64; 8:20-21;

an address transmitting unit transmitting the network address of the first monitoring device received from the first monitoring device from the communications device to the second monitoring device; See 5:1-50; 6:55-64; 8:20-21;

a first database updating unit updating registered data recorded in the database accommodated by the first monitoring device; See 5:1-50; 6:55-64; 8:20-21;

a request transmitting unit transmitting a read-out request for reading out registered data which is altered by the updating operation and recorded in the database accommodated by the first monitoring from the second monitoring device to the first monitoring device, by using the network address of the first monitoring device received from the communications device; See 5:1-50; 6:55-64; 8:20-21; and

a second database updating unit updating registered data recorded in the database accommodated by the second monitoring device based on the registered data received from the first monitoring device, when the second monitoring device receives the registered data altered by the updating operation from the first monitoring device; See 5:1-50; 6:55-64; 8:20-21.

Allowable Subject Matter

Claims 12, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-2, 4-8, and 16-17 are allowed.

Response to Arguments

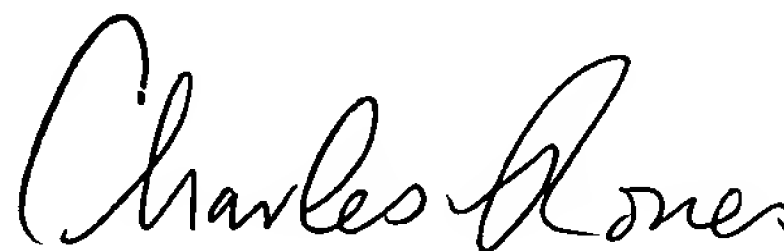
Applicant's arguments with respect to claims 9-10 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles L. Rones whose telephone number is 703-306-3030. The examiner can normally be reached on Monday-Thursday 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.



Charles L. Rones
Primary Examiner
Art Unit 2175

May 4, 2004